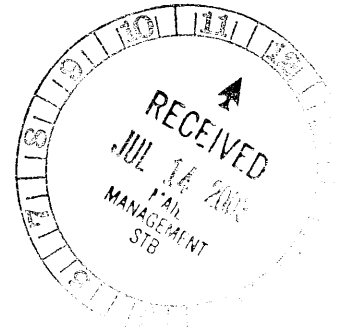


# Congress of the United States

Washington, DC 20515

July 11, 2003

Mr. Vernon Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001



Dear Secretary Williams:

Yesterday, the Surface Transportation Board denied petitions for stay filed by the Town of Wilmington and the City of Woburn, Massachusetts in the matter of New England Transrail, LLC (STB finance Docket No. 34365). The Board's decision noted that "in order for New England Transrail to construct and operate its proposed new rail line, it must seek construction authority from the Board in a separate filing, under 49 U.S.C. 10901 and 49 CFR 1150.1 et seq." and that upon that filing the Board's Section of Environmental Analysis (SEA) will conduct the "appropriate level of environmental review of the proposed new rail line construction and operation pursuant to the National Environmental Policy Act (NEPA) and the Board's rules implementing NEPA at 49 CFR part 1105."

The parcel of land on which this project is proposed has a long and sordid history of environmental degradation and chemical contamination. On July 2, 2003, the Massachusetts Department of Environmental Protection (DEP) requested that the U.S. Environmental Protection Agency (EPA) assist in the technical evaluation of the chemical make-up of contaminants found on the property. Concerned citizens from both communities have exhaustively catalogued the long-standing and pervasive contamination on the site. Officials of both communities, including Wilmington Town Manager Michael Caira and Woburn Mayor John Curran, as well as Massachusetts State Representatives James Miceli and Carol Donovan, have expressed strong opposition to the proposed project based in large part on its potential for exacerbating an already precarious environmental situation.

We write to you today in anticipation of New England Transrail's expected filing seeking authority to construct a new half-mile line to link the existing B&M line segments necessary to serve the planned reload facility. We respectfully request that the project be evaluated under the most stringent possible environmental standards; that a full Environmental Impact Statement be issued for public review and comment; and that all environmental issues be fully addressed and mitigated before any construction could begin.

We further request that we be formally notified of any filings with regard to this matter. Thank you for your time and consideration of this matter. If you have any questions, please contact Tom Carhan (Kennedy) 617-565-3170, Marty Walsh (Kennedy) 202-224-4543, Meaghan Hohl (Kerry) 617-565-8519; Joe Dalton (Markey) 781-396-2900; or Gary Barrett (Tierney) 978-531-1669.

Sincerely,



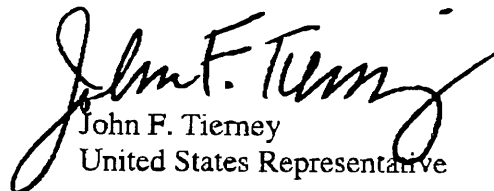
Edward M. Kennedy  
United States Senator



John F. Kerry  
United States Senator



Edward J. Markey  
United States Representative



John F. Tierney  
United States Representative

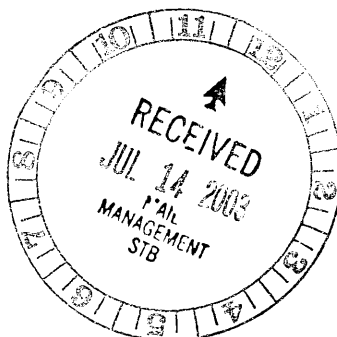
Cc: Wilmington Town Manager Michael Caira  
Woburn Mayor John Curran  
Representative James Miceli (Wilmington)  
Representative Carol Donovan (Woburn)  
Ronald A. Klempner, Managing Principal, New England Transrail  
Paul Jacobi, Esq., Jacobi & Case, P.C.

Congress  
of the  
United States  
House of Representatives

JOHN F. TIERNEY  
MASSACHUSETTS  
SIXTH DISTRICT



# Facsimile Transmittal



Tel: (202) 225-8020

Fax: (202) 225-5915

To: \_\_\_\_\_

Date: 7/11

FAX: 202-565-9004

# of Pages 3  
(including this cover sheet)

From:

- |   |  |
|---|--|
| <input type="checkbox"/> Rep. John F. Tierney   | <input type="checkbox"/> Kevin McDermott |
| <input type="checkbox"/> Christine Pelosi       | <input type="checkbox"/> Tracy Coogan    |
| <input type="checkbox"/> Abby Wolfson           | <input type="checkbox"/> Mat Jacob       |
| <input checked="" type="checkbox"/> Perry Lange | <input type="checkbox"/> Matt Burke      |
| <input type="checkbox"/> Heather Silber         | <input type="checkbox"/> Krista Boyd     |
| <input type="checkbox"/> Leslie Knapp           | <input type="checkbox"/> Intern          |

Comments:

---

---

---

---

Please call (202) 225-8020 if you do not receive the complete fax or if you receive this fax in error.

COMMITTEES

GOVERNMENT REFORM

RANKING MEMBER, SUBC ON ENERGY POLICY, NATURAL RESOURCES AND REGULATORY AFFAIRS  
SUBC ON NATIONAL SECURITY, VETERANS AFFAIRS AND INTERNATIONAL RELATIONS

EDUCATION & THE WORKFORCE

SUBC ON 21ST CENTURY COMPETITIVENESS  
SUBC ON EMPLOYER-EMPLOYEE RELATIONS

DEMOCRATIC STEERING COMMITTEE